

In Title 3, Division 4, Chapter 3, amend Sections 3024, 3024.1, 3024.2, 3024.3 and 3024.4; and, adopt Sections 3024.5, 3024.6, 3024.7, 3024.8 and 3024.9 to read:

3024.

Definitions

(a) "Applicant" means any person or legal entity whose application has been submitted to but not yet accepted by the Department.

(b) "Budding" means uniting a single bud and a rootstock cutting or growing grapevine so that both parts produce tissue and form a union that allows the bud to survive and grow.

(c) "Cancelled" means registration status is permanently withdrawn from grapevine(s) entered in the program and may no longer serve as a source of foundation, registered, or certified stock.

(d) "Certified stock" means propagative materials or grapevines propagated from foundation or registered stock in accordance with the provisions of this article.

(e) "Certified Nursery planting" means a planting of grapevines propagated from foundation or registered stock and maintained in accordance with the provisions of this article. Grapevines grown in a certified nursery planting are qualified to be identified as certified stock.

(f) "Common stock" means plant materials from grapevines not registered in the California Grapevine Registration and Certification Program.

(g) "Contiguous planting" means a planting of grapevines on land that is physically intact, without any separations by a public road or by any land used for a purpose unrelated to the planting.

(h) "Department" means the California Department of Food and Agriculture.

(i) "Approved by the Department" means written consent from the Department.

(j) "Diseased" means infected with a pathogen or pathogenic agent listed in Section 3024.6.

(k) "Disease agent" means a pathogen listed in Section 3024.6.

(l) "Foundation block" means a planting of grapevines propagated and maintained by the University of California in accordance with the provisions of this article and registered with the Department as a source of foundation stock.

(m) "Foundation block candidate grapevines" means grapevines that will be planted in the foundation block if all requirements specified in Section 3024.6 are met.

(n) "Foundation Plant Services" or "FPS" is a self-supporting service unit in the College of Agriculture and Environmental Sciences at University of California, Davis.

(o) "Foundation stock" means propagation materials or grapevines propagated from registered grapevines in a foundation block.

(p) "Grafting" means uniting a short detached piece of stem tissue with several buds (graft stick) and a rootstock cutting or growing grapevine so that both parts produce tissue and form a union that allows the buds on the graft stick to survive and grow.

(q) "Grapevine" or "vine" means a rooted grape plant.

(r) "Intermediate source vine" means a grapevine growing in a California registered increase block that serves as a source for propagation materials used to make another vine or topwork another vine planted in the same registered increase block or in a secondary increase block.

(s) "Notify" means communicate information in writing, in person, by phone, email, or by fax.

(t) "Off-type" means different from the variety of the selection listed on the application for registration or certification or exhibiting characteristics of a genetic disorder.

(u) "Participant" means any person or legal entity who agrees to fulfill the responsibilities of the participant described in Section 3024.2(b), who has submitted an application to the Department and whose application has been accepted by the Department.

(v) "Primary increase block" means a planting of grapevines established initially with foundation stock, registered with the Department and planted in 1993 or later.

(w) "Propagative materials" means cuttings, buds, budsticks, or graftsticks taken from a grapevine.

(x) "Provisional foundation stock" means propagative materials taken from grapevines planted in the foundation block that have completed all the required disease tests but have yet to have true to variety status verified.

(y) "Registered" means the Department has approved a grapevine or propagative material that has been propagated, planted, inspected, tested, and documented in accordance with the provisions of this article to serve as a source of California foundation, registered, or certified stock.

(z) "Registered stock" means propagative materials from registered grapevines in a primary or secondary increase block.

(aa) "Secondary increase block" means a planting of grapevines established by a participant with propagative materials from one or more of that participant's primary increase blocks or from the foundation block and registered with the Department.

(bb) "Suspended" means registration status is temporarily withdrawn from grapevine(s) or foundation, registered, and/or certified stock.

(cc) "Testing" means any test procedure using plant material or its extracts to determine the presence or absence of a disease or disease agent in or on the tested plant material. For the purposes of this article, testing will be in accordance with the procedures adopted by the Department for diseases and disease agents listed in Section 3024.6.

(dd) "Tissue culture plants" mean plants made from propagation materials using sterile *in vitro* tissue culture techniques.

(ee) "Top-working" means budding or grafting of another variety on top of existing stock.

(ff) "True-to-variety" means the same as the variety listed on the application for registration or certification.

Note: Authority: Sections 407 and 5823, Food and Agricultural Code.

Reference: Sections 5821 and 5822, Food and Agricultural Code.

Section 3024.1.

General Provisions

Participation in this program is voluntary and may be withdrawn at the option of the participant. The participant shall annually sign and file a participant agreement, provided by the Department, acknowledging the responsibilities of participation in this program according to, Title 3, Division 4, Section 3069, California Code of Regulations. Approvals, supervision, inspections, tests, determinations, registration and certification shall be conducted by the Department or its authorized agents.

Note: Authority cited: Sections 407 and 5823, Food and Agricultural Code.

Reference: Sections 5821 and 5822, Food and Agricultural Code.

Section 3024.2.

Program Responsibilities

(a) Responsibilities of Foundation Plant Services (FPS).

- (1) Select source grapevines from which foundation block candidate grapevines are propagated.
- (2) Conduct tests, in accordance with Section 3024.6 of this article, to qualify foundation block candidate grapevines for planting in the foundation block. Also, test established grapevines in the foundation block in accordance with the provisions of this article.
- (3) Select the planting location for foundation block plantings and submit application for site approval to the Department.
- (4) Identify grapevine variety experts who will inspect or test vines in the foundation block for trueness-to-variety; document variety inspection results; and apply to the Department to register grapevines growing in the foundation block after they are reported to be true-to-variety.

- (5) Perform all cultural practices required to maintain health and vigor of foundation vineyard. Conduct visual disease inspections of all grapevines in the foundation block, in accordance with the provisions of this article.
- (6) Maintain an inventory of all registered vines in the foundation block and provide to the Department upon request.
- (7) Maintain records of all grapevines removed from the foundation block or from registration including the specific row and vine location and reason for the removal.
- (8) Maintain records for all grapevines planted in the foundation block including records showing that tests and inspections, in accordance with the provisions of Section 3024.6 of this article, have been completed.
- (9) Upon request provide a report to the Department showing all of the foundation stock that was distributed by FPS and identified with foundation stock tags for a defined period of time. The report shall include the names and addresses of recipients, quantity received, date, tag number, variety, selection number, and foundation mother vine source.
- (10) Notify the Department, and all program participants who are affected, of any grapevines in the foundation block that are found to be diseased or off-type.
- (11) At time of sale of provisional foundation stock or foundation stock, provide participants with documentation for all grape propagation materials and grapevines the participant received from FPS. The documentation shall include: variety name, specific foundation block source, and registration status for all propagation materials and grapevines distributed from FPS to the participant after 1989.
- (12) Notify the Department and recipients of provisional foundation stock when the trueness to variety testing has been completed and if the provisional foundation stock qualifies as foundation stock.
- (b) **Responsibilities of the participant.**

(1) Pay all costs associated with fulfilling the responsibilities of the participant.

(2) Select the planting location for primary increase block(s), secondary increase block(s), and/or certified nursery planting(s), submit application to the Department for site approval and obtain written permission from the Department to plant in that site.

(3) Procure qualified propagative materials for planting in the primary and/or-secondary increase block(s) and/or nursery plantings.

(4) Apply to the Department to register grapevines within six months of planting or top-working grapevines in the participant's primary increase block(s), and planting grapevines in the participant's secondary increase block(s). Submit with the application records showing that the grapevines are eligible for registration.

(5) Apply to the Department for grapevine registration within two months of planting vines in the participant's certified nursery planting(s). Submit with the application records showing that grapevines are eligible for registration.

(6) Maintain, and provide, within five working days, to the Department upon request, a record of all grapevines registered in the participant's primary and secondary increase block(s). For increase block vines planted before July 1, 2009, source documentation previously approved by the Department shall be accepted.

Submit a separate report for each block containing the following information in a format prescribed by the Department:

(i) General Information:

1.- Name of participant

2.- Block location

3.- Block #

(ii) Current inventory—provide the following information for each

grapevine in the block:

- 1.- Variety name and FPS selection number
- 2.- Block, row, and grapevine location in field plantings or greenhouse location for potted grapevines
- 3.- Date of planting, replanting (if applicable), and top-working (if applicable)
- 4.- For all primary increase block vines, identify the original foundation block row and vine source and all intermediate source vines. All sources for primary increase block vines shall be reported as a single vine in each generation.
- 5.- For all secondary increase block vines identify the original foundation block row and vine source and all intermediate source vines. Intermediate sources for secondary increase blocks may be reported by designating a group of vines of the same FPS selection number.

(7) Maintain, and provide, within five working days, to the Department upon request, records of all grapevines in the participant's primary and secondary increase block(s), and/or certified nursery planting(s) which have been removed from registration; reason for the removal; and location of grapevine before removal.

(8) Maintain, and provide, within five working days, to the Department upon request, records of all grapevines in the participant's primary increase blocks that have been top worked.

(9) Use propagation, farming, and sanitation practices as required in Section 3024.5.

(10) Verify that all grapevines in participant's primary increase block(s), secondary increase block(s), and certified nursery plantings are true-to-variety and remove off-type vines.

(11) Identify/label registered grapevines in the participant's primary increase block(s) and secondary increase block(s); and, certified grapevines in the participant's certified blocks with the variety name and with the FPS selection number.

(12) Maintain records for all registered and certified stock produced, sold, and/or traded by the participants for at least five years after the date of disposition and provide, within five working days, to the Department upon request. Records shall include date harvested, disposition of such stock, name and address of customer, tag number, date, number of units identified by each tag, plant type, variety, selection of scion, and nursery block identification.

(13) Remove grapevines from the participant's primary increase block(s), and secondary increase block(s) which have been canceled or identified as off-type by the Department within a month of notification by the Department. Grapevines, in participant's certified nursery plantings, which have been canceled or identified as off-type by the Department may be retained and sold as common stock.

(14) Notify the Department at least 24 hours in advance of any pest control treatments in plantings using a pesticide that has reentry or worker safety requirements that would create a health hazard for the Department's employees, or in any manner interfere with the Department's ability to conduct scheduled inspections or other field activities. This subsection only applies when the Department has notified the participant of the date of a planned inspection or other program-related action that would bring the Department's representative(s) into a treated area or into contact with treated plants.

(15) Notify in writing all recipients of nursery stock from suspended vines that a graft transmissible disease has been detected and reported by FPS or the Department;

(c) Responsibilities of the Department.

(1) Maintain records of all current foundation blocks, primary increase blocks, secondary increase blocks, and certified nursery plantings in the State of California.

(2) Process applications from applicants and/or requests for records from applicant within 30 days of receipt.

(3) Approve planting sites for foundation blocks, primary increase blocks, secondary increase blocks, and certified nursery plantings.

(4) Inspect and test participant's primary and secondary increase blocks, and certified nursery plantings in accordance with the provisions of this article and as required by the Department.

(5) Suspend registration or certification of grapevines suspected of being diseased, off-type, and/or not produced in compliance with the provisions of this article based on preliminary tests or visual inspections performed by the Department or its designee.

(6) Cancel registration or certification of grapevines that are found to be infected with diseases listed in Section 3024.6, using tests prescribed in Section 3024.6, or are highly likely to be infected because the source vine(s) tested positive for disease using tests prescribed in Section 3024.6, or the Department determines the vines are off-type, and/or the vines have been produced out of compliance with the provisions of this article.

(7) Notify affected participants of suspension or cancellation of grapevines and propagative materials in the foundation block reported to be diseased or off-type.

(8) Enforce suspension or cancellation of registered or certified vines and propagative materials.

Note: Authority cited: Sections 407 and 5823, Food and Agricultural Code.

Reference: Sections 5821 and 5822, Food and Agricultural Code.

Section 3024.3.

Eligibility Requirements.

To be acceptable for approval of registration or certification or to be eligible for any planting entered in this program, a grapevine shall have been inspected and/or tested as provided in Section 3024.6 and protected from possible infection by disease agents of concern in an approved manner.

(a) Foundation Block.

(1) To be eligible for planting into the foundation block a candidate selection shall pass all required disease tests specified in Section 3024.6 and grape vines of the selection eligible for planting must be maintained in containers in a shadehouse, screenhouse or greenhouse until qualifying tests are completed. Grapevines propagated in a greenhouse, screenhouse or shadehouse from existing foundation block vines will also be eligible for planting in a foundation block.

(2) Green and hardwood cuttings from registered or provisional foundation stock will be eligible for planting in a greenhouse foundation block.

(3) Grapevines shall be verified true-to-variety before they are registered in the foundation block.

(4) No top-working shall be allowed in the foundation block.

(b) Primary Increase Block.

(1) To be eligible for planting, propagative materials and/or grapevines shall be foundation stock, provisional foundation stock, or from registered grapevines in the same contiguous primary increase block.

(2) Top-working shall not be allowed for rootstock increase blocks except for their conversion one time to scion blocks. Scion blocks may be top-worked once if the new scion is of a different variety than the under stock. If the increase block vines were top-worked before July 1, 2009, then the top-worked vines previously approved by the Department shall be allowed.

(3) A primary increase block shall have been planted in 1993 or later.

(4) Increase blocks established between 1993 and January 1, 2002

may be designated Primary if they are tested as described in subsection 3024.6(b)(4) in 2007 or later and the results are negative.

(c) **Secondary Increase Block.**

(1) To be eligible for planting in a secondary increase block, propagative materials and/or grapevines shall be foundation stock, provisional foundation stock or registered stock from a primary increase block.

(2) Increase blocks planted before 1993 that meet the requirements of this section may be eligible for secondary increase block status if they are tested as described in subsection 3024.6(b)(4) in 2007 or later and the results are negative.

(3) If propagative materials for a secondary increase block come from a primary increase block, then the primary and secondary increase blocks shall be registered by the same participant.

(4) No top-working shall be allowed in secondary increase blocks established after July 1, 2009. If increase block vines were top-worked before July 1, 2009, then the top-worked vines previously approved by the Department shall be allowed.

(d) **Certified Nursery Planting.**

(1) Foundation stock and registered stock is eligible for planting in a certified nursery planting. Rootstocks may be budded or grafted in place with foundation stock or registered stock in a nursery planting.

(2) Certified stock may stay in a nursery planting no more than two years.

(3) Rootstock cuttings from a certified nursery planting which is less than 12 months old may be used as a supplemental source of cuttings for production of additional certified stock, after inspection and approval by the Department.

Note: Authority cited: Sections 407 and 5823, Food and Agricultural Code.

Reference: Sections 5821 and 5822, Food and Agricultural Code.

3024.4

(a)

Propagation by Tissue Culture.

Registered grapevine nursery stock may be propagated from foundation stock or registered stock or primary increase block stock using tissue culture for the production of additional registered stock. The participant shall be responsible for verification of trueness to variety and selection/clone.

Note: Authority cited: Sections 407 and 5823, Food and Agricultural Code.

Reference: Sections 5821 and 5822, Food and Agricultural Code.

3024.5. Planting Location and Maintenance Requirements.

(a) Foundation, primary increase, and secondary increase blocks, shall be located and maintained so that:

(1) All planting sites shall be in the State of California.

(2) All planting sites shall be approved in advance of planting by the Department.

(3) Each planting shall be located in an area where contamination by soil-borne virus diseases of grapes from drainage, flooding, irrigation or other means is not likely to occur.

(4) Land planted to nonregistered or disease infected grapevines within 10 years prior to planting is not eligible as a planting site.

(5) Non-soil medium may be used for registered greenhouse grapevines. If a soil based medium is used it must be treated in accordance with Title 3, Division 4, Section 3055.5 of the California Code of Regulations.

(6) Field planting sites shall be separated, by at least 100 feet, from non-registered grapevines and sites where non-registered grapevines have been grown within the past 10 years. Each block shall be a contiguous planting. The Department may waive the 100-foot buffer zone provided that any grapevines planted within the 100-foot buffer zone are foundation, registered or certified

stock. Any grapevines planted within the 100-foot buffer zone cannot meet the requirements of this article.

(7) Grapevines growing in containers in a greenhouse shall be grouped separately from certified and non-registered grapevines.

(b) Certified nursery plantings shall be located and maintained so that:

(1) All planting sites shall be in the State of California.

(2) All planting sites shall be approved in advance of planting by the Department.

(3) Each planting shall be located in an area where contamination by soil-borne virus diseases of grapes from drainage, flooding, irrigation or other means is not likely to occur.

(4) Certified grapevines propagated or grown in greenhouses shall be grouped together and separated from registered and non-registered vines.

(5) Certified nursery plantings shall be separated from non-certified grapevines by at least 10 feet where nursery soil has been treated to control nematodes. Certified nursery plantings shall be separated from non-certified grapevines by at least 20 feet where the soil has not been treated for nematodes.

(6) Nursery rows shall be fallowed for at least one year between nursery crops.

(c) California certified grapevine nursery stock, including propagation materials and grapevines, shall be stored, heeled-in, or callused in non-soil media or beds, or the Department may require such treatment as necessary to protect against infection or infestation with pests.

(d) All plantings entered in this program shall be kept in good growing condition and pests shall be kept under effective control. Any grapevine found to be off-type shall be removed.

(e) For the purposes of planting and maintenance, provisional foundation stock

will be treated as foundation stock.

(f) Treatment to eliminate soil-borne pests in a manner approved by and under the supervision of the department may be required.

Note: Authority: Sections 407 and 5823, Food and Agricultural Code.

Reference: Sections 5821 and 5822, Food and Agricultural Code.

3024.6. Inspection and Testing Procedures.

Except as otherwise provided, inspection and testing procedures described in this section shall be made by the Department or its authorized agents and shall be conducted at times determined suitable by the Department. Additional inspections and tests other than provided in this section may be required by the Department.

(a). The diseases and associated disease agents of concern to this program are listed below in Table I.

TABLE I: Diseases and Disease Agents of Concern

<u>Diseases of concern for foundation stock obtained from FPS prior to July 1, 2009.</u>	<u>Disease Agent(s)</u>
<u>Grapevine Degeneration</u>	<u>European Nepoviruses, especially Grapevine Fanleaf Virus</u>
<u>Grapevine Decline</u>	<u>American Nepoviruses, especially Tomato Ringspot Virus</u>
<u>Leafroll</u>	<u>Grapevine Leafroll associated Viruses 1, 2, 3, 4</u>
<u>Corky Bark</u>	<u>Grapevine Virus B (GVB)</u>
<u>Fleck</u>	<u>Grapevine Fleck Virus</u>
<u>Additional Diseases of concern for foundation stock obtained from FPS subsequent to July 1, 2009.</u>	
<u>Leafroll</u>	<u>Grapevine leafroll associated viruses 5,6,7,9, 2RG</u>
<u>Kober Stem Grooving</u>	<u>Grapevine Virus A (GVA)</u>

(b) Testing. Tests shall be conducted as described in Table II unless the Department approves or requires changes.

(1) Original Foundation Block planting materials: Propagative

materials collected from a single grapevine source shall be used to propagate new foundation block candidate vines and to conduct tests for the diseases shown in Table II. New foundation block candidate grapevines shall be tested by FPS.

(2) Foundation block candidate grapevines shall be maintained in a screenhouse, shadehouse, or greenhouse while qualifying tests are in progress. Candidate grapevines, for which all the tests in Table II are negative, are eligible to be planted in a foundation block.

(3) Every grapevine in a foundation block shall be periodically retested at least once every five years, by FPS, for grapevine fanleaf virus, tomato ring spot virus, and grapevine leafroll associated viruses.

(4) Primary and secondary increase blocks shall be tested by the Department for grapevine fanleaf virus, tomato ring spot virus, and leafroll associated viruses at least once every five years.

(5) Certified nursery plantings may be tested for grapevine fanleaf virus, tomato ring spot virus, and grapevine leafroll associated viruses by the Department.

TABLE II: Tests required for Foundation Stock

<u>Test/Indicator Plant(s) required for selections planted in foundation block before July 1, 2009.</u>	<u>Disease or Disease Agents Tested For</u>
<u>St. George grapevine (field indicator, leaf symptoms)</u>	<u>Grapevine Degeneration, Fleck, and Corky Bark</u>
<u>Cabernet Franc (field indicator, leaf symptoms)</u>	<u>Leafroll</u>
<u>LN33 grapevine (field indicator, stem symptoms)</u>	<u>Corky Bark</u>
<u>Herbaceous indicator:</u> <u><i>Chenopodium sp.</i></u>	<u>Grape Decline and Grapevine Degeneration</u>
<u>Additional Test/Indicator Plant(s) required for selections planted in foundation block after July 1, 2009.</u>	
<u>ELISA/PCR</u>	<u>Grapevine Fanleaf Virus</u>
<u>ELISA/PCR</u>	<u>Tomato Ringspot Virus</u>
<u>ELISA</u>	<u>Grapevine Leafroll associated Viruses 1, 2, 3, 6, 7</u>
<u>Herbaceous indicators:</u> <u><i>Cucumis sativa</i></u> <u><i>Nicotiana clevelandii</i></u>	<u>Grape Decline and Grapevine Degeneration</u>
<u>PCR</u>	<u>Grapevine Leafroll associated Viruses 1, 2, 3, 4, 5, 7, 9, 2RG</u>

<u>Kober 5BB (field indicator, stem symptoms) or PCR to detect GVA</u>	<u>Kober Stem Grooving</u>
<u>PCR</u>	<u>Grapevine Virus B (GVB)</u>

(c) The Department may approve or require the substitution or addition of other tests, under generally accepted standards of scientific analysis, which are of equal or better reliability in detecting the diseases and disease agents of concern in this section.

(d) The Department shall publish a notice of approval of any test method which is substituted or a test in addition to those listed in this section on the Department's Web site.

(e) Inspection. Additional inspections to those listed below may be required if seasonal conditions or other factors tend to obscure disease symptoms, make adequate inspection impossible, if disease/disease agents are suspected, or if disease symptoms may be masked in a particular variety.

(1) In a foundation block, at least two visual disease inspections of each vine shall be made by FPS each growing season.

(2) In primary and secondary increase blocks, one visual inspection of each vine shall be made by the Department each growing season.

(3) In a nursery planting, one visual inspection shall be made by the Department each growing season. In addition, nursery stock shall be inspected at the time of digging.

Note: Authority: Sections 407 and 5823, Food and Agricultural Code.

Reference: Sections 5821 and 5822, Food and Agricultural Code.

3024.7. Refusal, suspension, or cancellation of registration or certification

(a) Registration may be suspended for any grapevine plants or planting in a

foundation block, primary increase block, or secondary increase block, if any of the conditions listed below apply.

(1) Preliminary tests or visual inspections indicate that the grapevine(s) may be infected with the applicable disease or disease agent of concern listed in Section 3024.6 - Table I; or

(2) The requirements of this article have not been met; or

(3) The grapevine(s) are off-type; or

(4) The pest cleanliness requirements for nursery stock in Title 3, Division 4, Section 3060.2 of California Code of Regulations have not been met; or

(5) The source that the grapevine(s) were propagated from is diseased and the grapevine(s) and their progeny are also suspected of being diseased.

(b) Registration or certification may be canceled or refused approval for any grapevine plants or planting if:

(1) The grapevine(s) are infected with an applicable disease or disease agent of concern listed in Section 3024.6 - Table I and detected using a test listed in Table II;

(2) The requirements of this article have not been met; or

(3) The grapevine(s) are off-type; or

(4) The pest cleanliness requirements for nursery stock in Title 3, Division 4, Section 3060.2 of California Code of Regulations have not been met; or

(5) The source that the grapevine(s) were propagated from is diseased and the grapevine(s) and their progeny are also determined to be diseased.

(c) Disposition of suspended and canceled grapevines.

(1) Suspended grapevines in a foundation block, primary increase block, or secondary increase block may be retained in the planting.

(2) Suspended grapevines shall be clearly identified and written records maintained.

(3) Propagative materials from suspended grapevines may, at the discretion of the Department, retain their registered status while testing to

determine their disease status is in progress.

(4) Propagative materials from canceled grapevines are considered common stock. They shall not have foundation, registered, or certified stock status.

(5) Canceled grapevines in a foundation block, primary increase block, or secondary increase block shall be removed by the participant within a time period prescribed by the Department.

(d) Reinstatement of suspended grapevines.

(1) Registration or certification of suspended grapevines and/or propagative materials in or from foundation blocks, primary increase blocks, secondary increase blocks or nursery plantings may be reinstated if the Department determines that the suspension is no longer necessary. The Department may use testing and/or inspections to make this determination.

(2) Primary increase block, secondary increase block, and/or nursery block vines may be reinstated if they test negative for virus shown to be infecting the foundation source vines.

Note: Authority: Sections 407 and 5823, Food and Agricultural Code.

Reference: Sections 5821 and 5822, Food and Agricultural Code.

3024.9. Application and Fees

(a) **Application.** An application shall be submitted for the initial acceptance of any planting, and each year thereafter to request continued registration. Application to register grapevines in any planting or to certify grapevines in a nursery row may be made after the vines have been planted. Upon submitting an application the applicant shall consent to the taking of samples or plants from any planting by the Department for inspection or testing purposes. The applicant shall:

(1) Submit a separate application for each planting site and receive written approval for the site(s) before planting.

(2) Submit a new application every time grapevines are added or top-worked in a new or existing, primary or secondary increase block within six months after planting new vines or topworking existing vines.

(3) Submit a new application every time new grapevines are added to a new or existing nursery planting within two months after planting new vines.

(4) Submit an application on a form provided by the Department and provide the following information:

(A) Applicant's name and mailing address;

(B) Applicant's telephone and fax numbers, email address;

(C) Applicant's California Nursery Stock License Number;

(D) County where applicant is located;

(E) Type of block – primary or secondary increase block or certified nursery planting;

(F) Type of planting:

Field, including acreage or

Greenhouse, including square footage;

(G) Location of planting, including county and a GPS coordinate for one corner of the field;

(H) Planting date(s);

(I) Names of the varieties in block and number of vines of each variety;

(J) Source of propagative stock;

(K) Signature and title of applicant; and

(L) Date application signed.

(b) **Fees.** Fees are payable for the work done and are for the sole purpose of defraying expenses incurred in the approval, inspection, testing approval, registration and certification procedures herein provided and are not to obtain any right or privilege. Fees, in whole or in part, may be waived if the cost of the

services rendered is covered by assessment.

(1) Application fees will be paid by the participant in advance of any work conducted.

(2) A late fee for registration may be charged to the applicant if an application is submitted more than six months after new plantings are made in a primary or secondary block or two months after new plantings are made in a nursery planting.

(3) The Department may charge additional fees because of conditions or total acreage entered or number of tests preformed when established minimum fees will not cover the cost of services.

(4) Fees paid for services that are not rendered shall be refunded to the participant. The amounts refunded may be prorated based on the direct costs incurred by the Department in the administration of the requirements of this article.

(5) The Department's established schedule of fees for services provided in this article are found in Title 3, Division 4, Section 4603, Schedule of Charges, subsection (g), Registration and Certification Grapevines Fees, of the California Code of Regulations.

No fees will be charged to the University of California for the inspection, testing or registration of vines in the foundation block provided that there is no expense to the Department other than for observation of the inspection and testing required in this article and for keeping records.

Note: Authority: Sections 407 and 5823, Food and Agricultural Code.

Reference: Sections 5821 and 5822, Food and Agricultural Code.